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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,)	CASE NO. 13-CR-00580-RMW
)	
Plaintiff,)	
)	STIPULATION AND [] ORDER
v.)	
)	
TRI MINH DAO,)	
)	
Defendant.)	

With the agreement of the parties, and with the consent of the defendant, the Court enters this Order documenting the exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161, from November 18, 2013, up to and including December 16, 2013.

The parties agree, and the Court finds and holds, as follows:

1. On November 18, 2013, the parties appeared for a status conference before this Court.
2. At the appearance, defendant requested a continuance of the case until December 16, 2013, in order to continue to investigate the case.
3. The United States had no objection to the request.
4. Based on these representations and for good cause shown, the Court finds that failing to exclude the time between November 18, 2013 and December 16, 2013, would unreasonably deny the

defendant continuity of counsel and would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv). The Court further finds that the ends of justice served by excluding the time between November 18, 2013 and December 16, 2013, from computation under the Speedy Trial Act outweigh the best interests of the public and the defendant in a speedy trial.

5. Accordingly, and with the consent of the defendant, the Court orders that the period from November 19, 2013, through December 16, 2013, be excluded from Speedy Trial Act calculations. *Id.*

STIPULATED:

DATED: November 19, 2013

/s/

CYNTHIA LIE

Attorney for Defendant TRI MINH DAO

DATED: November 19, 2013

/s/

EDWARD FLUET

Special Assistant United States Attorney

Based on the above, IT IS HEREBY ORDERED that the time between November 18, 2013 and December 16, 2013, shall be excluded from computation under the Speedy Trial Act. 18 U.S.C. § 3161(h)(7)(A) and (B)(iv).

DATED:



RONALD M. WHYTE

Senior United States Senior District Judge